



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William R. Collett
Serial No.: 09/812,645
For: CIGARETTE PACKAGE HAVING A
CIGARETTE SAVER
Filed: March 20, 2001
Examiner: D. Walls
Group Art Unit: 1731

Assistant Commissioner of Patents
Box RCE
Washington, DC 20231

INTERVIEW SUMMARY

In accordance with the requirements of 37 C.F.R. 1.133 and MPEP § 713.04, the Applicant submits this Interview Summary. This Interview Summary is a summary of the telephone interview between Jason Link, Applicant's representative, and Examiner Dionne A. Walls on Friday, February 21, 2003. Applicant respectfully requests that this Interview Summary be entered into the record of the above-referenced application.

During the interview, pending claims 26 and 34 were discussed.

The specific prior art references discussed were the two references cited in the most recent Office Action mailed December 10, 2002. The first reference was U.S. Patent 2,764,984 to Cohen et al. The second reference discussed was U.S. Patent 4,886,076 to Gilbert et al.

The principal proposed amendments discussed were: (1) amending claim 26 to specify that the cigarette saver occupies a region corresponding to the volume of approximately five cigarettes; and (2) amending claim 34 to specify that the cigarette saver is rigid and that the cigarette saver occupies a region corresponding to the volume of approximately three cigarettes.

The general thrust of the Applicant's argument is that neither Cohen nor Gilbert teach or suggest a cigarette package that comprises a paperboard crush proof box designed to hold twenty-five cigarettes (or twenty-three cigarettes); twenty cigarettes; and a cigarette saver positioned inside the paperboard crush proof box and comprising two end portions, the distance between the two end portions forming a length of the cigarette saver, wherein the first end portion includes an opening to a channel that terminates in the cigarette saver and wherein the cigarette saver occupies a region corresponding to the volume of approximately five cigarettes (or three cigarettes). Applicant's invention advantageously utilizes a paperboard crush proof box designed to hold more than twenty cigarettes. Twenty cigarettes are arranged in the crush proof box with the extra space in the crush proof box providing adequate room for the cigarette saver. Neither Cohen nor Gilbert teach or suggest the invention as claimed. Applicant's argument is more completely set forth in the Amendment and Remarks being submitted with a Request for Continued Examination on even date herewith.

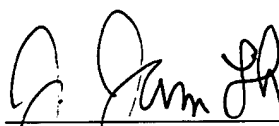
The Examiner was receptive to Applicant's proposed amendment, but indicated that Applicant's proposed amendment would require a new search and that Applicant's proposed amendment would need to be submitted for consideration with a CPA or RCE.

The Examiner is invited to contact the undersigned at (336) 607-7443 to discuss any matter relating to the application and this Interview Summary.

Respectfully submitted,

Date:

March 7, 2003



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